

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
Nashville Division**

L.W., by and through her parents and next friends, Samantha Williams and Brian Williams, et al.,

*Plaintiffs,*

and

UNITED STATES OF AMERICA,

*Plaintiff-Intervenor*

v.

JONATHAN SKRMETTI, in his official capacity as the Tennessee Attorney General and Reporter, et al.,

*Defendants.*

**Civil No. 3:23-cv-00376**

**Judge Richardson**

**Judge Newbern**

**DECLARATION OF DAVID BETHEA, ESQ. IN SUPPORT OF PLAINTIFFS’  
REPLY IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

I, David Bethea, Esq., hereby declare:

1. I am an attorney at the law firm Akin Gump Strauss Hauer & Feld LLP, co-counsel for the Plaintiffs in the above-captioned matter. I have been admitted *pro hac vice* to practice before this Court, and I submit this declaration in support of Plaintiffs’ Reply in Support of Motion for Preliminary Injunction (the “Reply”).

2. The purpose of this declaration is to provide the Court with copies of certain documents referenced in the Reply. Plaintiffs have excerpted Exhibit D—which is quite lengthy—to include only those portions related to Plaintiffs’ arguments in the Reply. Plaintiffs are happy to provide a complete copy off this document at the Court’s request.

3. Attached hereto as Exhibit A is a true and correct copy of a Civil Investigative

Demand issued by the Office of the Attorney General and Reporter for the State of Tennessee to VUMC Center for Transgender Health on November 2, 2022.

4. Attached hereto as Exhibit B is a true and correct copy of a Civil Investigative Demand issued by the Office of the Attorney General and Reporter for the State of Tennessee to VUMC Center for Transgender Health on March 14, 2023.

5. Attached hereto as Exhibit C is a true and correct copy of a second Civil Investigative Demand issued by the Office of the Attorney General and Reporter for the State of Tennessee to VUMC Center for Transgender Health on March 14, 2023.

6. Attached hereto as Exhibit D is a true and correct copy of the trial transcript in *Brandt v. Rutledge*, Case No. 4:21-CV-00450-JM (E.D. Ark.), excerpted to include portions of the testimony of Stephen B. Levine, M.D.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 1, 2023

Respectfully Submitted,

s/ David Bethea  
David Bethea

### **CERTIFICATE OF SERVICE**

I hereby certify that on June 1, 2023, the undersigned filed the foregoing Declaration of David Bethea, Esq. in Support of Plaintiffs' Reply in Support of Motion for Preliminary Injunction via this Court's electronic filing system, which sent notice of such filing to the following counsel of record:

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